

**EXCHANGE OF LETTERS CONSTITUTING AN AGREEMENT  
BETWEEN THE GOVERNMENT OF AUSTRALIA AND  
THE GOVERNMENT OF THE ITALIAN REPUBLIC ON THE  
CIVIL REGISTRY DOCUMENTATION TO BE SUBMITTED BY  
AUSTRALIAN CITIZENS WISHING TO MARRY IN ITALY,  
DONE AT ROME ON 10 FEBRUARY AND 11 APRIL 2000  
[2003] ATNIF 18**

**Documents Tabled on 2 December 2003**

**National Interest Analysis**

**Text of the Agreement**

*Annexures*

**Consultations**

**Country Political Brief**

**Country fact sheet**

**Lit of other treaties with that country**

**List of treaties of the same type with other countries**



## **NATIONAL INTEREST ANALYSIS: CATEGORY B TREATY**

### **SUMMARY PAGE**

#### **Exchange of letters constituting an Agreement between the Government of Australia and the Government of the Italian Republic on the Civil Registry Documentation to be Submitted by Australian Citizens Wishing to Marry in Italy, done at Rome on 10 February and 11 April 2000**

**[2003] ATNIF 18**

#### **Date of Tabling of Proposed Treaty Action**

1. 2 December 2003.

#### **Nature and Timing of Proposed Treaty Action**

2. It is proposed to bring into force, via an exchange of notes, the exchange of letters constituting an Agreement between the Government of Australia and the Government of the Italian Republic on the Civil Registry Documentation to be Submitted by Australian Citizens Wishing to Marry in Italy, done at Rome on 10 February and 11 April 2000.
3. This will be undertaken as soon as practicable after JSCOT's consideration.

#### **Overview and National Interest Summary**

4. Under Article 116 of the Italian Civil Code, Australians wishing to marry in Italy must produce a statement from the Australian Government that there are no impediments to the marriage under Australian law. There is no agency in Australia that can provide such a statement. The Agreement therefore sets up an alternative system for Australians based on the submission of appropriate declarations by the Australian wishing to marry in Italy. The Agreement provides that it will come into force (and thus the alternative system will become operational) on the first day of the second month after Australia and Italy have notified each other of the completion of the procedures required by their respective rules.

## **Reasons for Australia to Take the Proposed Treaty Action**

5. The purpose of the action is to make it simpler for Australians who wish to marry in Italy. It will also reduce the workload of the Australian embassy in Rome in dealing with the relevant Italian authorities.

## **Obligations**

6. No new obligations will be imposed on Australia as a result of this proposed Agreement.

## **Implementation**

7. No new legislation is required to implement the proposed Agreement in Australia, and no changes to the existing roles of the Commonwealth or the States and Territories will arise as a consequence of its implementation.

## **Costs**

8. No financial costs to Australia will arise as a result of this proposed Agreement.

## **Consultation**

9. State and Territory Governments have been advised of this proposed action through the Commonwealth-State Standing Committee on Treaties' Schedule of Treaty Action. There has been no request from State or Territory Governments for further information.

## **Regulation Impact Statement**

10. The Office of Regulation Review (Productivity Commission) has been consulted and confirms that a Regulation Impact Statement is not required.

## **Future Treaty Action**

11. The proposed Agreement contains no provisions regarding future amendments or the negotiation of future related legally binding instruments. However, under the Vienna Convention on the Law of Treaties a treaty may be amended by agreement between the parties. Any amendment to the proposed Agreement would be subject to the domestic treaty process.

## **Withdrawal or Denunciation**

12. The proposed Agreement contains no provisions regarding withdrawal or denunciation. However, withdrawal or denunciation is possible in accordance with the Vienna Convention on the Law of Treaties. Any such action would be subject to the domestic treaty process.

## **Contact details**

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